



# EVENING BULLETIN

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THE MOST POPULAR CAP-  
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FLEET.

VOL. VIII. No. 1488

12 PAGES—HONOLULU, H. I. SATURDAY, MARCH 24, 1900—12 PAGES

PRICE 5 CENTS.

## MR. DOLE AS A WITNESS

Gives His Views on Resignation of Chief Justice Judd.

Objections by Magoon, Gear and Humphreys—  
Mr. Hartwell Official Delegate No Answer Received from the President.

Following is the testimony of President Dole given before the Supreme Court relative to the resignation of Chief Justice Judd:

Frear—I would like to say that upon examining the affidavits filed in this case the Court feels that it is not in full possession of the facts of the case. The affidavits are either silent or indefinite with regard to some points that may have a bearing on the question, an important question not only in this case but in all cases that may come before the Court. We feel that we should not decide the question without a full knowledge of the facts, and so we have called you in at this time for the purpose of taking further testimony, and have requested the President and Mr. Albert F. Judd Jr. to attend for the purpose of giving testimony. Whatever testimony is now taken will be considered by the Court the same as the affidavits of yesterday, subject to objections. I will ask the President a few questions, and then counsel may ask further questions or cross examine if they choose.

Mr. Gear—For whom is this testimony taken?

Mr. Gear—In behalf of the Attorney General?

Frear—For the information of the Court in order that the Court may be able to render a decision in the case on all the facts.

Interests of the Republic.

Mr. Cooper—Is the Republic in this particular case, as a Republic, responsible for this issue one way or the other? If so the Attorney General's Department would be glad to know what its position is. If the defendant in this particular case is interested in the issue the Attorney General's Department would like to know it. The reason we have not taken part is because we have not seen that the Republic, as a government, was interested in the issue.

Frear—It is a matter of discretion as to what part the Attorney General shall take in the matter. I suppose the Attorney General's Department in this particular case is simply interested in representing the defendant, and the interests of the Attorney General's Department would be involved in this.

Mr. Dole's Testimony.

Sanford B. Dole, being duly sworn testified as follows:

Frear—Mr. President, in referring to your affidavit dated yesterday and filed in this case, you stated that on the 27th day of December, 1899, you received a letter from the Chief Justice in words and figures following: The letter is dated December 4th. I should like to ask you how you received that. By what means was it transmitted to you?

A. Mr. Albert F. Judd Jr. brought it to me personally.

Q. On the 27th day of December, 1899? A. Yes.

Q. The letter which you wrote to the President of the United States is dated December 28, and it is stated that immediately upon the receipt of the letter of resignation the letter of December 28 was sent to the President. Later in the affidavit you say on receipt of said letter of resignation from the Chief Justice I informed the son, Albert F. Judd Jr., acting as I understood as his attorney in fact, that I declined to accept said resignation until hearing from the President of the United States in the premises, having referred the matter of the appointment of a new Chief Justice to him for certain reasons. I would like to ask if this information or the statement to Albert F. Judd Jr. was made before or after the letter of December 28 was sent to the President. The words of the affidavit being "having referred?"

Mr. Gear—I wish an objection entered on the record to that testimony because it is incompetent, irrelevant and immaterial, any statement of the President to Albert F. Judd Jr., not binding the Chief Justice.

Mr. Magoon—I also wish to object to it on the ground that I think it will make no difference in what way the question is answered. If President Dole referred the matter to the President of the United States, as far as he is concerned, it indicates he is neutral in the matter, neither accepting nor rejecting the resignation, and if he did not accept or reject it, and did not exercise the power itself, but delegated it to another, it must of necessity be an acceptance of the resignation.

Statements to Albert Judd.  
Frear—This question is asked for the purpose or more particularly with reference to contemplated future questions. Before asking further questions I wish to have the statement already made by President Dole explained.

Q. Was this statement to Albert F. Judd Jr. to the effect that you declined to accept the resignation made when the resignation was presented to you or at a later date?

A. My impression is that I remarked to him to that effect at the time and also afterwards, but I do not remember how definitely I made it. I may have made it as a suggestion at the time.

Q. What if any communication did Mr. Albert F. Judd Jr. make to you as coming from his father at the time he presented the letter or resignation to you in connection therewith?

Hearsay Evidence.

Mr. Gear—I object to that on the ground that it is incompetent, irrelevant and immaterial. Any statement made by Albert F. Judd Jr. could not bind the Chief Justice. The Chief Justice could not delegate any statement through his son that would be binding on him, and no authority has been shown in any way. The Chief Justice having communicated in writing any further statements must also be in writing. I further object on the ground that it is hearsay evidence.

Mr. Magoon—I also wish to object on the ground that it is incompetent, irrelevant and immaterial. I submit that this is a dangerous thing to allow verbal statements or hearsay to enter into matters of this sort and is contrary to the rule. You cannot qualify an ab-

(Continued on page 7.)

## ELKS OF HONOLULU

The members of the Benevolent and Protective Order of Elks who are in Honolulu had an informal meeting at the Hawaiian Hotel last night and talked over the possibility of obtaining a charter for Honolulu. The organization in the States ranks among the first and foremost of the secret orders and would be a most desirable acquisition to the few already here. To be initiated into the Elks Lodge one must be a citizen of the United States and above all a desirable one. Each and every member has passed the most rigorous investigation. His life and actions for a number of years past are invariably traced and beyond a shadow of a doubt proven to be a desirable applicant before he gets beyond a proposed candidate.

The object of the order is to bring together in an inseparable brotherhood a limited number of the very best citizens whom when necessary will stand together as one man.

It is the earnest desire of the Elks in Honolulu to obtain a charter which, if granted, will be the first lodge installed in the new possessions of the United States and every effort is being put forward to bring all the influence to bear on the grand lodge in order to surmount any obstacles that might possibly be in the way.

The following brothers were present who will further the interests of the project and make it a success: Bros. F. M. Brooks, 240, Butte, Mont.; H. J. Craft, 240, Butte, Mont.; W. L. Beswick, 240, Seattle, Wash.; C. E. Jacob, 171, Oakland, Cal.; C. D. Luffkin, 112, Sioux City, Ia.; Tom B. Richards, 228, Spokane, Wash.; Eugene Rogers, 170, Knoxville, Tenn.; E. P. Dole, 92, Seattle, Wash.; W. F. Jocker, 2, Philadelphia, Pa.; J. L. Rockwell, 268, McComb, Miss.; Dr. Galbraith, 42, Omaha, Neb.; J. F. Agassal, Sacramento, Cal.

There is any amount of good timber for the foundation available in Honolulu and it is to be hoped their efforts will not be fruitless.

## The Orpheum.

Another big house greeted Hogan's merry company at the Orpheum last evening and went away with nothing but praises on their lips for the pleasing performance.

Mr. Hogan's clever work is such a surprise to all that it would redeem almost any inferior work but fortunately there is very little at the Orpheum at present that requires redeeming.

Miss Carrie Carter, the clever, graceful and charming Clorinda of the first part of the week looks very fetching even in plantation calicoes and her admirers wish she had a more prominent part. But doubtless she will give us something good later on.

Miss Muriel Ringgold is dancing in good form as usual, none of the Kentucky Four seem to be able to set too fast a pace for this gushing little dancer to follow.

If "the business" keeps up to the mark this week has set the management will have very little cause to regret the present bookings.

Go to the Pacific Vehicle and Supply Co. for fine carriages.

## HONOLULU : SCHOOL

—OF—

## Short-hand and Typewriting

DAY AND NIGHT CLASSES

COWAN AND HARRIS

ROOMS 11-12, 3rd Floor (S. A. B. - 4 P. M.)  
HOURS—1 P. M. TO 9 P. M.  
PROGRESS BLOCK.

## COUNCIL VOTING MONEY

Mr. Achi Objects to Whiskey and Cigar Appropriations.

Denying a \$75 Accident—Items Passed for Finance and Attorney General's Department—Committees Hard at Work.

There were present at yesterday's session of the Council of State President Dole, Ministers Mott-Smith, Young, Damon and Cooper; Councilors Achi, Ena, Allen, Ka-ne, Gonsalves, Robertson, Kaulukou, Jones, Gear, Nott, Bolte and Kennedy.

A petition from John K. Prendergast and others was referred to the Executive.

Minister Damon introduced, from the Executive Council, a bill to appropriate \$240,000 to be placed to the credit of the fund for suppression of bubonic plague. He moved its reference to a committee.

Mr. Kaulukou moved the bill take table as read a first time.

The President said this bill did not require more than one reading.

Mr. Gear moved, seconded by Mr. Jones, that the secretary furnish members with copies of the rules. Carried.

Mr. Damon renewed his motion, which was seconded.

Achi Objects to Cigars.

Mr. Achi favored investigation. It seemed highly necessary when a bill for cigars on account of the Board of Health had been published. He told of a neighbor of his who had got \$10 a day for being put out of his office in quarantine, the whole bill amounting to \$300. His mistake was in not charging enough for the use of his office. He believed some of the bills were for whiskey. It did not seem to him that the Government should pay for cigars, bubonic plague or no bubonic plague. He should vote against the bill if money was being paid for cigars and whiskey, and hack here too.

The motion carried and the President appointed Messrs. Kennedy, Achi and Allen as the committee.

Mr. Gear reported progress from the committee on Interior Items.

Items of Finance.

On motion of Mr. Robertson committee reports in hand were considered. Items in the Finance department's estimates were taken up. The following items passed:

Interest on all loans and advances, including commissions on remittances to London, \$45,000.

Redemption of outstanding bonds, Act of October 24, 1890, \$43,000.

Incidentals Postal Bureau, unpaid bills 1899, \$9052.30.

Incidentals Postal Bureau, \$6,000.

Mr. Gear asked for information from the Finance Minister as to whether this amount were sufficient, according to the showing made by the committee of a deficiency in the appropriation for last period of more than \$9,000.

Minister Damon explained in effect that it was not anticipated that incidentals would be drawn upon for deficiencies in the payroll as had happened within the last period.

Postal Money Order capital, \$3500.

Incidentals Customs Bureau, unpaid bills 1899, \$1232.32.

Damage done to ship Santa Clara by the carelessness of the assistant harbor master in docking the ship to the railroad wharf, \$75.

Object to "Carelessness."

Mr. Robertson spoke of the scant explanation given. If it was "carelessness" of the assistant harbor master that official ought to pay for it, while if it was "accidental," as the committee say, the insurance should pay the damage. He moved the item be stricken out. Lost.

Mr. Achi moved, seconded by Mr. Damon, that the words alleging carelessness should be stricken out. The Minister said he put in the words on information, but was willing to accept the correction of the committee.

Mr. Jones stated that the committee had been assured by the Collector Gen-

(Continued on page 6.)

## Central Union Church Bulletin.

"The Early Life of Christ, in Song and Story," is the way the interesting review to be given in this church at 9:50 is announced on the church bulletin. Other announcements are "An Evening in Mexico," the 6:30 service of the Endeavorers, and the morning and evening sermons, subjects as follows: "Christ's Attitude toward Hostile Doubt," and "The World in which We Live."

Mrs. Elizabeth Waterhouse, superintendent of the Home Department of the Bible school, proposes to extend to a large number the privileges of the school upon agreeing to study the lesson half an hour at home. Special quarters will be delivered to such members.

Friary evenings the popular places for those who can sing or wish to learn is at the Choral Society.

## LET THE BATTLE PROCEED

Dr. Wood Sounds the Key Note of Increased Vigilance.

Shipping Committee Reports Adversely on Raising Merchandise Quarantine—Reasons Given for Their Decision.

Dr. Wood, president of the Board of Health, at this afternoon's meeting now in progress, makes a strong appeal to have the work of sanitation proceed, determinedly and unflinchingly, from the raising of quarantine. Until the sewerage system be in operation, and water filtration installed, Dr. Wood considers that the price of safety will be the most exacting vigilance joined to the most vigorous sanitation.

Six days have passed without the appearance of a case of plague or anything suspicious. Nothing new from the hospitals to spoil previous good reports of the two patients.

An alarm raised by Rev. J. C. Ashill about two dogs having rolled in infected bedding, at the Long house in Young street, has been effectually still by Dr. Wood after sufficient inquiry. All the bedding of the dead case was burned promptly on the taking charge of the house by the guards. This was according to the undeviating practice.

No Relief of Commerce.

Geo. W. Smith, at the meeting of the Board of Health this afternoon, presented the following report from the Committee on Commerce:

Honolulu, March 24th, 1900.

Dr. C. B. Wood, President Board of Health.

Sir:—Your committee to which was referred the resolution withdrawing all restrictions on shipment of freight other than that from Oriental ports, beg to report that they are unable to recommend the adoption of the resolution.

When the matter was first brought to our attention (before the introduction of the resolution,) we were inclined to favor it, but further consideration leads us to the belief that the time has not yet arrived when we should take so important a step.

As members of business houses directly interested in shipping goods to the other islands we are anxious to see the present restrictions removed, but as representatives of the Board of Health which is supposed to be working for the safety of all parts of the islands we think that the proposed action should be deferred for what is hoped will be only a short time longer.

No Desire to Prohibit.

We are all agreed, no doubt, that the only absolute safety is in the prohibition of all communication between ports but that has never been considered practicable. The Board has taken such steps in its quarantine regulations as was believed would reduce the danger of infection being carried, to the minimum.

The action taken a short time ago which permitted the shipment of goods of American and European production and manufacture after as slight disinfection as was considered safe, has relieved the wants of the other islands to a great extent, but instead of satisfying the shippers here it has only made them more insistent that all restrictions should be removed. Those of us who have had anything to do with this matter of shipping freight have noted with regret that attempts have been made to evade the regulations adopted by the Board. However, in the belief, to quote, "that quarantine is a sieve not a dam," we think that a degree of safety has been attained under the circumstances named.

In taking the action which it has, the Board has assumed that there was some danger of merchandise being infected such infection in the case of goods in original tight cases being on the outside.

This caution was to be met by spraying the outside of such cases with a proper disinfectant, without such disinfection the time will come when any reasonable danger of infection has passed; just what that time is we do not know, but if quarantine is to be entirely lifted after thirty days from date of last case, it is supposed to be within that time. The time then which elapses between the time of possible infection and the safety point, tends to decrease any danger there might be.

Effect on American Trade.

Your committee has been particularly impressed with, and their action in this case modified by, a statement obtained from Dr. Carmichael, the U. S. Marine Hospital surgeon at this port; that if the restrictions were removed he would be compelled to note such fact on bills of health of vessels carrying cargoes from this port and, although all cargoes are, by regulation of the United States authorities, fumigated at port of entry, yet the fact that no restrictions, excepting on Oriental freights were observed here, would un-

doubtedly have a detrimental effect on shipments from this port.

Further, the shipment of freights without treatment of any kind would, of necessity, until quarantine is raised, place the boats of the island fleet in the position of being unclean. The carrying of sugar cargoes by these vessels would therefore place the cargoes in the same condition.

While it is true that no cases have occurred for some time in any locality near the business portion of town, yet the springing up of cases in points remote from supposed infected premises shows that we do not know just where the danger lies.

Can Take No Chances.

The other islands look to us for protection against the disease being carried to this city to them, and the immense expense incurred thus far in attempting to eradicate the plague should make us very careful how we take any chances now of letting it get on the other islands.

We know that letters are coming here from other places almost demanding that certain goods must be sent, but we see the same names on communications in the papers saying that regulations must be enforced. People from outside districts who are most radical in wanting goods shipped will we believe, be the first to denounce the Board if plague should appear among them.

The Quarantine wharf which was established at large expense on the other side of the harbor is now ready for use, and with the facility for shipping goods which is provided by that and the present arrangements on the wharves on this side of the harbor, we think that the proposed resolution should be deferred for at least two weeks and recommend that such action be taken.

Respectfully submitted,

Geo. W. SMITH, EDMUND C. SHOREY, F. J. LOWREY, JAMES WAKEFIELD, J. F. HUMBURG.

Dr. Wood congratulated the committee on its sensible conclusion. Before putting a motion for adopting the report he read a report of the bacteriologist on the results of fumigating experiments.

The report was adopted.

## SUPREME COURT SITTING

The Supreme Court was in session this morning, acting Circuit Judge Stillman sitting with First and Second Associate Justices Frear and Whiting. The mandamus case of Wahiawa Plantation Co. against Minister of the Interior was argued. Attorney General H. E. Cooper, Deputy Attorney General E. P. Dole and J. W. Cathcart appeared for the Government, and Kinney, Ballou & McClanahan for petitioner.

A. F. Francis by his attorney, Geo. A. Davis, files a general denial to the complaint of Edith Sanders, claiming damages of defendant for maliciously prosecuting plaintiff on the charge of stealing a dog.

Bella D. Friel, Wm. H. Cornwell, Kate L. Vida and Mary C. Widdfield have acknowledged the receipt from W. H. Cornwell and F. W. Macfarlane, executors under the will of Adelia Cornwell, of all papers connected with the undivided one-half interest of Adelia Cornwell in the quartz mining claim called the "Sycamore Mine," located in the White river district, Kern county, California.

Victoria S. Ellis, administratrix of the estate of Nancy S. Ellis, deceased, by her attorneys, J. Alfred Magoon and I. M. Long, gives notice to A. S. Humphreys, attorney for contestant, of motion to set a day for hearing of approval of account and discharge.

Rita C. Tewsbury, inheritor of an undivided fourth interest in certain lands and premises in Honolulu, has brought a bill in equity for partition against Antone G. Cunha, Zida Cunha and Frank A. Cunha her husband, Mary Camara and J. M. Camara her husband.

Concert at Makae Island.

The following program will be rendered Sunday afternoon at Makae Island:

PART I.  
"Old Hundred."  
Introduction—"Sultor".....Lachner  
Overture—"Star of the North".....  
.....Meyerbeer  
Ballad—"Everlasting Day".....Bevan  
Grand Selection—"Old Operas".....  
.....Rappey  
PART II.  
Selection—"Sweet Old Songs".....  
.....Dalbey  
Entre Act—"Tannhauser".....Wagner  
Gavotte—"Maytime".....Fetras  
Finale—"Air Militaire".....Oelslaegel  
"The Star Spangled Banner."

BRIEF HISTORY.

The majority of fashionable people of Honolulu rather buy their hats in Iwakami's Hat Department than anywhere else.

Cape Town, March 15.—The Transvaalers at Bloemfontein threatened to turn their guns on the town if the peace advocates refused to fight, but the threat was unavailing. The war party fled. The British are now working the Free State railroad.

THE WATERMAN IDEAL FOUNTAIN PEN. All sizes, all shapes. H. F. WICHMAN.

## THE MOST POPULAR CAPTAIN

Cameron Has a Lead of Over 2500—Bruhn Coming Up.

The New Entries on the Lists—Only One Week More Now in Which to Work for Your Favorite.

|                 |      |
|-----------------|------|
| Captain Cameron | 6015 |
| "Simerson       | 4326 |
| "Clarke         | 3076 |
| "Pedersen       | 2349 |
| "Bruhn          | 2177 |
| "McDonald       | 750  |
| "Freeman        | 284  |
| "Tullett        | 239  |
| "McAllister     | 151  |
| "J. Dower       | 147  |
| "Samson         | 78   |
| "J. Unahahele   | 11   |
| "Nicholsen      | 9    |
| "Weisbarth      | 9    |
| "Thompson       | 7    |
| "Haglund        | 4    |
| "Dudoit         | 3    |
| "Campbell       | 2    |
| "Gregory        | 1    |
| "Parker         | 1    |

Captain Cameron leads the race this week with six thousand and fifteen votes to his credit. This worthy captain has some energetic friends who evidently want to see their favorite keep the lead he won last week. In the meantime the friends of the other captains have been by no means idle as evidenced by the increase in the number of votes opposite Captain Bruhn's name.

The contest will close at 12 o'clock sharp Monday noon, April 2, in order that vote appearing in Saturday night's paper may be sent in.

The votes will be counted daily throughout the next week with a daily announcement of the result.

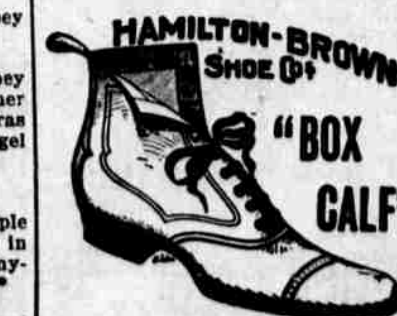
The final announcement will be made in the paper of Monday Evening, April 2.

The prize that will be given to the successful contestant for the honor of being the most popular of our inter-island captains is most appropriate and one well worth striving for. A pair of the finest binoculars that can be obtained in Honolulu will be his reward. They are furnished by H. F. Wichman, which is a guarantee of their excellence and may be seen at any time on display in his store.

The friends of the various contestants should keep well in mind the opportunity to place their favorite in the lead by bringing in new subscribers to the Bulletin. Attached to each receipt given to new subscribers is a coupon entitling the holder to cast a block of votes for the Most Popular Captain. The number of votes is determined by the length of the subscription, as follows:

|          |           |
|----------|-----------|
| 1 Month  | 40 Votes  |
| 3 Months | 153 Votes |
| 6 Months | 353 Votes |
| 1 Year   | 753 Votes |

Good Shoes  
Are hard to find,  
Unless you  
Know where to  
Look!



COME TO THE  
The Manufacturers'  
Shoe Co.

And you will not go further. From the cheapest to the best can be found there.